

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12543 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

SMT.DHANLAXMIBEN FAKIRCHAND

Versus

COMPETENT AUTHORITY AND DEPUTYCOLLECTOR(ULC)

Appearance:

MR PM BHATT for Petitioners

MR VM PANCHOLI, AGP for Respondents

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 20/08/1999

ORAL JUDGEMENT

Heard the learned counsel for the parties.

2. The petitioners have challenged the order dated 12.4.1993 passed by the State Government rejecting the petitioners' application under Section 20(1) of the Urban Land (Ceiling & Regulation) Act, 1976. The possession of the land in question has not been taken over by the authorities, which fact is not in dispute in view of the written instructions dated 17.8.1999 received by the office of the learned Government Pleader from Mr DG

Zalawadia, Competent Authority & Additional Collector, ULC, Ahmedabad. The letter is already produced on the record of cognate petition being Special Civil Application No. 9492 of 1995.

3. The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March, 1999, passed under Article 252 (2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the order impugned in the present petition does not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4. The petition is accordingly disposed of as having abated. There shall be no order as to costs.

August 20, 1999 (M.S. Shah, J.)

sundar/-